

Congressional Testimony

John A. Ramsey SPC.
Florida Army National Guard

Submitted Before the Subcommittee on National Security,
Emerging Threat, and International Relations

“Does the ‘Total Force’ Add Up? – The Impact of Health Protection
Programs on Guard and Reserve Units

March 30, 2004

Mr. Chairman and distinguished members of the committee, on behalf of myself and hundreds of other mobilized soldiers of the National Guard and United States Army Reserves, I am honored and pleased to have the opportunity to address the issues this committee has been charged to investigate. I will truthfully and accurately represent my experience and views as well those of my fellow combat soldiers who supported Operation Iraqi Freedom. My name is John A. Ramsey, and I am a member of Detachment 1, Thirty Second Army Air and Missile Defense Command (Det 1, 32nd AAMDC).

Pre-deployment Health Assessment:

The pre-deployment process was handled poorly. There were no true physical exams conducted on all soldiers deployed from my unit. The physical exam process was more or less records checks that were rushed through. There should have been full physicals given to all soldiers thus saving the military and tax payer a great deal of money, and saving soldiers and their families a great deal of unnecessary hardship. As well as preventing hundreds of soldier's from the painful experience of being forgotten on active duty medical extensions (ADME). My unit went through a pre-deployment health assessment in Florida; however, these efforts were not accepted by the Active Army (Fort Benning). Fort Benning health assessment was even less productive compared to Florida's. Several soldiers were required to receive same vaccinations over because of poor records maintenance of vaccinations received in Florida according to Fort Benning, however, the shots were given and it was said later that the medical staff at Fort Benning was not looking through individual medical files properly. For example, I

had a HIV blood test performed in Florida, but because the results were not in the medical file when we arrived at Fort Benning I was required to give another sample. The Medical staff at Fort Benning was informed by my unit that the HIV test was just performed days prior and that the result could be obtained thus preventing the retesting of several soldiers, the response was that they would not accept the units records and the test would be administered a second time.

Deployment

I was deployed to Fort Benning, GA on January 23, 2003 Det 1, 32 AAMDC deployed with all our current up to date qualifications (i.e. Weapons qualifications, NBC qualifications as well as many more) these qualification records were not accepted. My unit was then required to re-qualify prior to leaving for Kuwait. Just another example of needless spending. On February 23, 2003 my unit was deploying to Kuwait, I volunteered for a baggage detail. This consisted of loading military equipment on a Semi-Trailer, and an Airplane deploying to Kuwait. During this detail, I injured my right shoulder. The Non Commissioned Officer in charge wrote a statement and documented the injury. When I arrived in Kuwait, and when the first opportunity arose I went to the Troop Medical Clinic at Camp Doha where I was told that the injury appeared to be a strained muscle and was then given muscle relaxants. I returned for a follow-up, at which time I was sent to physical therapy. The Physical Therapy Doctor came to the conclusion, after several weeks of therapy, that I may have damaged my rotator cuff. I advised him that I was having pain in my left should and numbness in the ring and pinky fingers of both hands, he stated that it was because I was over compensating my left side

for the lack of strength on my right side. I was given an injection into the right shoulder joint with no relief. The Physical Therapy Doctor told me that he was going to give me a referral for tests to be performed when I returned to the states. Because of the documented injury, a Line of Duty investigation was conducted (LOD) and completed. During my deployment to Kuwait and Iraq, I continued to perform my mission dealing with the pain. I was given an opportunity of a lifetime to support my country and our way of life as well as passing the freedom of democracy onto the people of Iraq. It was clear to me that during the war that I was honored to participate in would require sacrifices to include sucking up some pain and driving on. I never complained but feared that I would be sent home prior to completing the mission of my unit due to my injuries. Prior to leaving Kuwait, a post deployment assessment form (DD Form# 2796 pg.1-2) (see attachments 1-2) was completed by me on May 5, 2003. On this form, I started listing my medical concerns and was stopped by the certifying Officer, Major Apelian. Major Apelian stated that by listing my injuries on DD Form 2796 that information would hold up the process of returning me to the states for treatment. The Major did identify in the comments block that I did have a referral. However, she did not indicate for what.

Post Deployment Assessment

I returned to Fort Benning on June 11, 2003. I had a conversation with the Staff Sergeant Major (SGM) Hinckley (a member of my unit) that was traveling with me; he stated that I would most likely remain at Fort Benning for medical treatment. I called my wife and told her that I would be staying at Fort Benning for medical treatment, at which time she stated that she was going to travel with our children to Fort Benning that

weekend to see me. I told her that I would call her when I knew for sure that I would be staying. On June 13, 2003 I went to the Fort Benning medical out-processing center where I was given several forms to fill out as part of the Return from active duty (Refrad) process. (See attachment 3- 16). During this time I spent approximately fifteen minutes in the building, approximately three to five minutes was spent talking with First Lieutenant (1LT) Muellner (PA). 1LT Muellner asked me if I had any medical problems. I told her that I was injured while deployed. She stated that I would need a LOD completed. I then stated that a LOD had been completed prior to me leaving Kuwait. 1LT Muellner then stated that I would need a referral to see a doctor, at which time I told her that I was given one prior to leaving Kuwait, she stated that I was the first soldier to return from deployment with this type of completed paperwork. While she was reading, I asked 1LT Muellner if I would be required to remain at Fort Benning for medical treatment or would I be sent back to my unit in Florida. 1LT Muellner stated that I was not required to remain at Fort Benning that I could receive the same medical treatment in Florida as I can at Fort Benning. During this time I never stated that I did not want medical care or that I did not want to remain on active duty for medical treatment. 1LT Mullner wrote on several medical documents that I would be returning home for follow-up health care at home station. This lead me to believe (and no one told me otherwise), that I was going to return to my reserve unit for continued treatment while still on active duty orders. I was given several checklists for tracking post deployment processes (Attachments # 3-8), however the majority of the out processing check lists were not completed, or signed off on. (Example: Attachment # 7-8 (The Fort Benning Demobilization out processing checklist), identifies medical, personnel, dental, and other

requirements such as finance, and the only portion filled out is finance, had this checklist been completed many of the problems I am faced with now may have been avoided. The Medical section of this Demobilization out-processing checklist has the following five (5) medical questions: Medical screening complete and is further treatment required? Quarantined? Assigned to Quarters? Pregnant? Received medical briefing? and the final statement is; completed out-processing, and requires a Medical representatives' signature and date. I attribute the non-completion of these checklists to pushing/rushing soldiers through the re-deployment process, and a total lack of responsibility by the Fort Benning re-deployment out-processing Center. On June 14, 2003 at approximately 4am I was on an airplane heading home. I feel that the soldiers were let down by the National Guard and the Active Army and these organizations are not being held accountable for their gross negligence dealing with Army Regulations regarding the pre-deployment, mobilization, and re-mobilization of the most precious resource in their charge; Soldiers!

Return to home station for continued health care

On June 17, 2003 I reported to Det 1, 32 AAMDC. Florida National Guard has alternate work week schedules and the headquarters was closed on June 16, 2003. I turned over all of the medical documents, and at that time was told by SGT Venderwest, (Personnel Clerk at Det 1, 32 AAMDC), and Mr. Till (Medical Branch, Surgeon General Office, Florida State Headquarters), I should not have been released from active duty. The unit then asked Mr. Till for guidance, and Mr. Till stated that I would be put on Active Duty Medical Extension (ADME), but first I needed to get a doctor to give a prognosis, diagnosis and expected date to return to full duty. I was instructed by Mr. Till to select an orthopedic doctor in my area and make an appointment. I did so and made an appointment with Dr. Christensen on June 18, 2003. Dr. Christensen told me that he

could not give any of the requested information until the following tests were done, Magnetic Resolution Imaging (MRI) of the right shoulder, neck, and a nerve study test of the right hand arm and shoulder. Dr. Christensen was extremely upset with manner in which my unit requested the above information. The request was sent on a 3x3 sticky. Dr. Christensen stated that he was in the military for over twenty years and had never received a request in such an improper way. He further stated that I should be in a military hospital not a civilian doctor's office. He further stated that he would not be able to answer any of the above questions with out the requested tests and further stated that if the military wanted any questions answered then they needed to request them on a proper memorandum format and with the proper letter head. The above tests were scheduled in the month of July. I reported this to my unit and Mr. Till. I was unable to talk with or explain to Dr. Christensen of the problems on my left side because of his continued discussion of disgust of the sticky note. Because of this Mr. Till told me I should try to see my primary physician in order to move the testing dates up to prevent me from being dropped from active duty. During this time I was on Active Duty Leave. I scheduled an appointment with my primary physician on June 26, 2003 at which time an MRI of my left shoulder and a nerve study test of the left side was requested. The MRI tests of the left and right shoulders and of the neck were done on July 14, 2003. I received the results approximately two days later at which time I turned them over to my reserve unit and Mr. Till. On July 21, 2003 a nerve study test was done on the left and right arms, hands and shoulders. I received the results of these tests on July 23, 2003. I then had a return visit with Dr. Jones (per my request for a different doctor) on July 24, 2003 who is in the same practice of Dr. Christensen. Dr. Jones reviewed the tests and stated that I would need to see another Doctor in his practice for the shoulders and hands. He further stated that there was an unidentified growth between my fifth and sixth vertebra that he wanted a repeat of the MRI at the same location of the first in three months to see if there was any change in size. His concern was that it might be cancer. He further stated that he wanted me to return to him for the results of that test being that this is what he specializes in. Dr. Jones signed the military

disability form stating that I would be unable to return to full duties for at least three months. It was later questioned and accused of altering this form prior to submitting it to the military. However, to date I have not heard anything reference that accusation.

During this time I asked why I was released from active duty. I was told that it was based on the DD Form 2697 report of medical assessment (attachments 13-14) question # 15 & 17. Question# 15 was “do you have conditions which currently limit your ability to work in your primary military specialty or require geographic or assignment limitations” I answered “no” because I felt that I could do my job for the most part. Question# 17 “do you have any other questions or concerns about your health” I answered “no” because I had no new question from the last time I had spoken with the Doctors in Kuwait. This form is a basic tracking form for the VA and clearly states the following- “Disclosure: voluntary; however, failure to disclose the requested personal information may result in delay in processing any disability claim.” Not a form to decide the active duty or medical status of a soldier. There is an established Army Regulation (Regulation 135-xx) regarding Active Duty Medical Extinction (attachment 17), clearly states that reserve members may be retained on active duty when the injury or illness occurred in the line of duty, and prevents the soldier from performing his/her normal military duties. There is a document that walks the health provider through the process (attachment 18).

The following requirements are:

- a. Consent to remain on active duty.
- b. Physician’s statement that medical treatment for more than 30 days.
- c. Line of duty determination.
- d. DA Form 4187, signed by the Commander.

I qualified for ADME per the above Army Regulation, however because Lieutenant Colonel (LTC) Sherman stated that because I could still perform my Military Occupational Specialty (MOS) per my answer on (attachment 13) Answer# 15, she was not going to put me on ADME. LTC Sherman further stated that I could still perform my MOS with a temporary profile, there for

I did not qualify for ADME (attachment 19). There is no Army Regulation that states what LTC Sherman would have you believe nor is there an Army Regulation that states you can interpret the Army Regulation if you don't agree with them or are unclear of what they mean. Once again I would like to point out that the Regulation states normal military duties, a soldier's MOS is only part of his/her normal military duties. As well as every soldier I have spoken with that has remained on ADME either performs some part of their MOS or a similar job while awaiting discharge from ADME.

I returned to the doctor's office on August 5, 2003 and met with Dr. Halperin. He gave me an injection in the right shoulder and sent me to physical therapy. He stated that we would work on the most painful complaint first (right shoulder). I attended physical therapy three days a week until my return visit on September 02, 2003. I returned to Dr. Halperin, he gave me another injection. When there was not relief from the injection, he referred me to Dr. Schwartzberg for a second opinion. During this time I was being told by Major (MAJ). Rooney, (Det 1, 32 AAMDC G1 Plans Officer), Mr. Till and Staff Sergeant O'Brien (Det 1, 32 AAMDC Medical Operations Non commissioned Officer), that I was going to be put on ADME and that I did not qualify for Incapacitation Pay (INCAP). They further stated that I was going to be back paid as well.

On September 11, 2003 I met with Dr. Schwartzberg, at which time he advised me that I would be a good candidate for surgery, I agreed and the military (Florida State Surgeons Office – Sergeant First Class (SFC) Dressel) agreed to pay for it and all the care relating to my right shoulder (in writing). The surgery was performed on September 26, 2003 where the right shoulder was repaired as well as an injection in the left shoulder. I had a return visit with Dr. Schwartzberg on October 02, 2003. He requested that I return to physical therapy as soon as possible. On October 16, 2003 I returned to Dr. Schwartzberg's office reference my left shoulder, he had me start physical therapy on the left side. During the surgery on the right shoulder, at that time, the doctor recommended performing the same surgery on the left shoulder. I agreed and cleared it with the military (state of Florida) this was also put in writing. The

surgery was scheduled for November 14, 2003. During this time I went from not qualifying for INCAP to not qualifying for ADME. What this amounted to was that the army did not want to pay for the care and the Florida State Headquarters did not want to pay. And I was stuck in the middle.

I returned to Dr. Schwartzbergs for a follow up after the surgery on December 02, 2003. During this time it had been told to me that I would be going back on active duty. Because of this information, I did not start back to physical therapy until late December. It was also due to the holidays.

I contacted Congressman Rick Keller on September 02, 2003 to request assistance in this matter. After several months, Congressman Keller got the Active Army to agree to put me back on active duty starting December 01, 2003 and got the Florida State Headquarters to agree to back pay me from the date of release to December 01, 2003. Congressman Keller between November 20-26 2003 told this to me. Approximately two or three weeks later, the Active Army changed their minds and refused to put me back on active duty. It was first said that it was due to my back pay being INCAP. LTC Mary Sherman Headquarters Department of the Army (703-695-7874) refused to mix INCAP pay and ADME. On December 23, 2003 during a conference call with myself, Terri finger (Representative from Congressman Rick Keller's office), MAJ Rooney, LTC Radcliff (Det 1, 32 AAMDC Full Time Staff Officer in Charge), SSG O'Brien, LTC Sherman, MAJ Etzel (Legislative Liaison for Headquarters Department of the Army) and Mr. Steve Howard (Surgeon Generals Office, Florida State Headquarters) LTC Sherman stated that she did not want to put me on ADME because she did not want to except the other injuries that were not noted on the first LOD or mix two different pays. Although this was documented by civilian doctors prior to me being released from active duty. And had the Army kept me at Fort Benning rather than releasing me, a military doctor would have documented these injuries. During this call it was agreed upon between Florida State Headquarters and LTC Sherman that I would be sent to Fort Stewart for a fitness for duty physical to document my injuries. This also changed,

because Florida State Headquarters and the Army don't want to agree on who is going to pay for this, it has been decided that I will now have my medical files sent to the Florida Army National Guard Medical Review Board to determine my status in the military. Once again they have basically made untruthful statements to me. And as of December 25, 2003 my pay once again stopped.

The Florida Army National Guard requested that I have a disability form signed by Dr. Halperin, however they would not authorize the visit. SSG O'Brien wrote to me that this was being requested and that he would work on getting the approval for the visit (attachment#26). SFC Dressel also stated that he would get the approval for the visit during a conference call with SSG O'Brien and myself. As of January 21, 2004, this changed. I was then told to go to the Doctor's office and pay for the visit, if the doctor states that it's an injury incurred in the line of duty and the Florida Army National Guard approves the LOD, I would be reimbursed for the visit and treatment. On January 29, 2004 I went to see Dr. Halperin however because the Florida Army National Guard did not pay any of the medical bills that they agreed to in writing to pay, I was going to be turned away. I was able to convince them that I needed to see the doctor. Linda Thomas with the Orlando Orthopedic billing collections office spoke with MAJ Rooney on the phone and explained to him that I will not be allowed to continue physical therapy or any other doctors visits until the bill is paid in full. There was over eleven thousand dollars due for my medical treatment to just that office. To date I am receiving collection calls almost every day for bills not paid by the military. These bills are well over fifteen thousand dollars. I was then seen by Dr. Halperin who filled out the military disability form stating that the injuries to my elbows and hands occurred while in the line of duty. He further stated that it will require surgery and it will be approximately six months before I can return to full duties. He stressed that the six months is an estimate only. Blood tests were requested as well as taking an mrol dose pack. This doctor wanted me to return in one month to review the lab results and look at further treatment. This was not possible because the military refused to pay for the visit. Several days later the

Florida Army National Guard did approve the visit from January 29, 2003(after the visit took place). I called MAJ Rooney several times on January 29, 2003 reference to these current problems. He explained to me that this is currently how the system is working. He further stated that it would be a while before anything would be done because he and his staff as well as the contact people at Florida Army National Guard Headquarters were extremely busy working on deploying 600 or more soldiers to Iraq.

On January 30, 2004 MAJ Rooney notified me that Mrs. Sapp (Surgeon Generals Office Florida State Headquarters) spoke with the billing and collection department of Orlando orthopedic center. He further stated that the past due bills would be paid in full. MAJ Rooney then instructed me to contact the Orlando orthopedic center, billing and collection department to verify this statement. I spoke with Linda Thomas, she stated that she had been in contact with Mrs. Sapp; she further stated that Mrs. Sapp assured her that the bill would be paid. However Linda further stated that if she did not receive a payment by February 14, 2004 I would not continue treatment with Orlando orthopedic center.

On February 3, 2004 I contacted Terri finger and MAJ Etzel reference to the physical that was requested by them and LTC Sherman on December 23, 2003. They stated that the requested physical should have taken place and that they would be looking into why it had not taken place. Later that same day, I was notified that MAJ Etzel had spoken with SFC Dressel. MAJ Etzel stated that SFC Dressel was now currently working on getting me an appointment at Fort Stewart Hospital. I was then advised to contact MAJ Rooney to update him on the new information. I made this call to MAJ Rooney at which time he called SFC Dressel, and we had a three-way call. SFC Dressel stated that he was working on an appointment for me at Fort Stewart. I asked why now after his previous statement. He stated that after talking with his boss (LTC Cornelison), it was determined that the Florida medical review board would pass this case off to Fort Stewart for further review, so to save time he was sending me to Fort Stewart for a fitness for duty physical. I told SFC Dressel that MAJ Etzel and Terri finger both advised me to notify the doctor at Fort

Stewart of any and all injuries and illnesses that may have occurred while on active duty. SFC. Dressel then stated that I was only allowed to discuss my right shoulder for the purpose of this fit for duty physical. This information was relayed to Terri finger.

On February 4, 2004 I contacted the patient affairs office at Winn Hospital located at Fort Stewart. I was told that there was an appointment on either February 11 or 23, 2004. Within two hours of receiving this information, I received a call from MAJ Rooney; he stated that SFC Dressel notified him of an appointment for me at Winn Hospital on February 11, 2004 at 830am. He further stated that the orders were being faxed to me as we spoke on the phone. He stated that the orders were as follow: February 10, 2004 was for travel and February 11, would be for the appointment and travel back to home of record. On February 5, 2004 I contacted MAJ Rooney in reference to my orders, I asked him why February 10, was not listed on the orders. He stated that he would check into it and call me back. On February 6, 2004 MAJ Rooney called me back and stated that the orders were valid and that February 10th was listed on the computer and even though it was not on the printed orders it was still authorized as a day of travel. MAJ Rooney further stated that I was to take all of my medical files to the scheduled appointment, and that I was to let the doctor know of all my medical problems.

On February 11, 2004 I reported to the orthopedic section of the Winn hospital, at which time I was advised that there was no scheduled appointment for me and further stated that I was not in their computer system. They did however state that if I go to patient registration and get put into the computer, they would fit me in to an open slot.

Orthopedic P.A. Terry Clark saw me. P.A. Clark read and documented my medical file, and concurred with the civilian doctors. He further stated that my injuries were incurred in the line of duty; he further stated that I should be place back on active duty as soon as possible for continued care. MAJ Kurt Hensel orthopedic surgeon Winn Hospital who also agreed with P.A. Clark and stamped and signed Standard Form 600 filled out by P.A. Clark. I took this form over to patient affairs, where I was told that I needed to get a P2 or P3 profile, and if it was going to be a P3

profile, the doctor needed to start a medical evaluation board. I went to the doctor, he refused to do either, he stated that I was in the middle of treatment and attempting to get further treatment, there for he could not start a medical evaluation board for something that is still being treated. I relayed this back to patient affairs; they stated that they would notify SFC. Dressel. Also, they were missing several documents from my file, most importantly the first LOD that was completed in Camp Doha, Kuwait. I provided them with a copy; I also copied two documents sent to them by SFC. Dressel (attachment27-28), the first document was a commanders memorandum, it stated that I currently have a P3 permanent profile and that I currently have two LOD Investigations in progress for both shoulders. Both statements were false. I understand that there is a formal investigation in progress for the left shoulder and at this time that is all. The second document I copied was a memorandum from SFC Dressel, he was requesting a fit for duty physical to be done on both the left and right shoulders.

On February 12, 2004 I returned to my reserve unit and spoke with SSG O'Brien, he stated that he now had approval for me to see Dr. Halperin two times. He further stated that the blood work requested by Dr. Halperin was approved back in December 2003. I questioned this because the request for blood tests was made on January 29, 2004. SSG O'Brien further stated that SFC Dressel was requesting another fit for duty physical at Winn Hospital. I asked why? SSG O'Brien stated the following; SFC Dressel told him that the doctor conducting the physical was a new doctor and did not know how to do them; he further stated that I was sent there for my right shoulder only. I asked SSG O'Brien to call SFC. Dressel to see if we could get to the bottom of these statements. A conference call took place with SSG O'Brien, SFC Dressel, and myself. SFC Dressel stated first that I was told to go to Fort Stewart for the right shoulder only and that because the doctor was new to this, that I would need to go back to see a surgeon. He further stated that he instructed the hospital to perform a line of duty for the right shoulder only. I then read to SFC. Dressel his memorandum that he sent to the hospital, he then stated " Oh, I thought I called them and told them to change it to just the right shoulder". I then had SSG O'Brien read

the Standard Form 600(doctors notes) to him, during this time SFC Dressel stopped him from reading and stated that he wanted me to know that Florida Army National Guard had approved twelve more visits to physical therapy for the left shoulder. I asked, is that also for the right shoulder? He stated no and that the prescription from the doctor (Orlando orthopedic center) stated only the left. I then stated no that is not correct, I asked the doctor if it was for the left only and he stated are we treating you for both, I answered yes, he then stated well then its for both right. SFC. Dressel then stated that it was written left only, I then stated that it was written as follows: physical therapy x4 weeks. SFC. Dressel then stated yes you are correct and there for you need to go back to the doctor and let him know that the military is anal and we require everything spelled out. At this time SSG O'Brien continued reading the Standard form 600, when he read that I was to be put back on active duty, SFC. Dressel stated, that is not going to happen and it's not an option. SSG. O'Brien continued to reading. When he said I was to continue physical therapy on both shoulders, SFC. Dressel asked if there was a time limit put on that and, SSG O'Brien stated "no". SSG O'Brien then stated that the doctor stated that I couldn't perform my MOS. I then told SFC. Dressel that this was prepared by an orthopedic P.A. and signed off by an orthopedic surgeon. SFC. Dressel then stated that he did not know that it was signed by a surgeon. He further stated that I would go to physical therapy for both shoulders for the next four weeks at which time he would then request another fit for duty physical. I asked him about my neck, hands, and elbows? He stated that the unit needed to complete an LOD. For each and that this would not be part of the next appointment. He further stated that it would be at least April before there was an answer on the completion of LOD's. SFC. Dressel then stated that while he was at a conference with LTC Sherman, he took my medical file (which were incomplete) and showed it to an orthopedic P.A. that stated that I was fine and ready to return to full duty. This Orthopedic PA has never examined me nor is he in involve in my medical treatment plan. SFC. Dressel further stated that this was why he requested a fit for duty physical for me. This statement contradicts his previous statement, he previously stated that after talking

with his boss (LTC Cornelison), it was determined that the Florida medical review board would pass this case off to Fort Stewart for further review, so to save time he was sending me to Fort Stewart for a fitness for duty physical. SFC. Dressel clearly violated the federal HIPPA law when he removed my medical files from his office and showed/discussed them with This Orthopedic PA who has no involvement in my medical treatment what so ever.

Medical bills not paid to date.

To date, there remains over \$15,000.00 of medical bills that have not been paid. As late as march 10, 2004 there was over \$25,000.00 of medical bills unpaid. The Florida Army National Guard continued to state that all the bills were either paid or being processed for payment. This has been a repeated statement every time I bring the issue to the Florida Army National Guard. The lack of payment has interfered with my medical treatment on several occasions to include stopping my physical therapy and any follow-up doctors appointments as of February 09, 2004. When the National Guard Bureau, Active Army and the Florida Army National Guard found out that I was going to be testifying in front of the Subcommittee on National Security, Emerging Threat, and International Relations on march 30, 2004, I started getting calls from the National Guard legislative liaisons office, the Army Surgeon General's Office, as well as a request to meet with LTC Cornelison. The Army Surgeon General's Office (Anne Price) wanted to know what medical bills were not paid, and whether or not I had been back paid.

I was told that this information was requested by LT General Peak and that he wanted it to be kept quiet that he was looking into these issues. Mrs. Price further stated that there

was nothing they could do to assist in my matters. Basically her office was on a fact-finding mission only.

I received several calls from Mrs. Price within a week's period. During one of our conversations, she stated that tri care informed her that my military ID card was showing as active duty. However no one can tell me what that means.

On march 17, 2004 I went to my unit and met with LTC Cornelison and MAJ Rooney, our conversation consisted of LTC Cornelison telling me that he felt that we were on the same team and striving for the same goals. He further stated that he wanted me to know that to his knowledge I had not been denied medical care and that the medical bills had been addressed. After our conversation, I believe that he conceded to the fact that medical treatment was not 100% forthcoming as well as the medical bills were not properly handled, as he had previously believed. I will say that per some of the e-mails given to me by LTC Cornelison clearly shows that he and his staff as well as my unit had been vigorously working my issues for some time. I also believe that a point came that my issues were dropped to the side because of lack of cooperation from the active Army and the Army National Guard. This is clearly seen in the response from the Office of the Adjutant General, Department of Military Affairs (Colonel U.S. Army RET Michael G. Jones) that was sent to Congressman Keller's office and Senator Nelson's office. The exact same document was sent to both the Congressman and the Senator, however the response was addressed to only Congressman Keller Attention Terri Finger. The writer of this document failed to address it to the Senator. I found this to be quite embarrassing as a member of the Florida Army National Guard that the writer of this document showed

little to no respect for these public leaders. (Attachment 20-25). Note: See further supporting documentation (attachment 29-30)

Returning to Fort Stewart for medical treatment in a INCAP status

On march 17, 2004 I was notified by MAJ Rooney that I was going to be sent to Fort Stewart for continued medical care. He further stated that I would not be placed back on active duty. MAJ Rooney stated that I would be sent there in a INCAP status, which means that I will be paid the same pay as a active duty E-4 however I would not be entitled to tri care for me or my family, I would not earn any retirement points nor would I earn any leave. I told MAJ Rooney that I could not go until April 1, 2004, this would allow me time to get my family affairs in order and allow me to testify in front of this committee. Maj. Rooney agreed and had the consent of the Florida Army National Guard as well (LTC Cornelison). On march 20, 2004 at approximately 9am I received a call from MAJ Rooney, he stated that the National Guard Bureau wanted me to report to Fort Stewart that day or no later than March 21, 2004. I told him that I could not leave on such short notice and stated that I felt that this could interfere with my testimony. He stated that he would relay my concerns. I then called Terri Finger and told her what I was told. She made contact with a member of the National Guard Bureau who told her that if I did not report by March 21, 2004, the National Guard Bureau would testify that I refused medical treatment. Later in the afternoon of March 20, 2004 MAJ Rooney called me back stating that I would be required to report to Fort Stewart on March 31, 2004 at 1300hrs.

I want to take a moment to tell you about a few people that I feel have gone over and beyond the call of duty to assist me and other soldiers. Congressman Rick Keller and

Terri Finger, who have supported and assisted in every way they possibly could with my medical and pay issues. SSG O'Brien, who has taken the time to listen to me vent my frustration on several occasions as well as he attempted to answer any questions I had in a timely manner. MAJ Rooney, Who put himself in many difficult positions to try and assist my family, and me continually contacting the same people over and over to try and resolve my issues. SSG Cockerline who recently retired. He was my unit supply Sergeant, he always went over and beyond the call of duty when it came to providing the best of military clothing, equipment, and special items that distinguished our unit. He always did everything he could to make our deployments as easy and successful as possible, always finding ways to support soldiers on pre-deployment. Doing his best Getting soldiers in and out of the unit as soon as possible giving soldiers the opportunity to spend much more quality time with our families prior to deployment.

This concludes my testimony; I sincerely thank each of you for allowing me to speak on behalf of many of my fellow soldiers and myself.

I would be happy to answer any questions you may have of me.

I have been with the Orange County Sheriffs Office since 2000 as a Road Deputy. Prior to the Sheriffs Office, I worked for the Sanford Police Department from 1996-2000. While at the Sanford Police Department I worked as a patrol officer, property crimes investigator, persons crimes investigator, sex crimes investigator, auto theft investigator and later was assigned to the Seminole Auto Theft Task Force. And have been lead investigator reference homicide investigations.

I am a prior member of the United States Marine Corps and have been a member of the Florida Army National Guard since 1995.

I am a shareholder in two corporations that I and my best friend Dean Barnes along with Joy Rogers started in 2000/2004. EYE CAN INC. A roll-off can company handling construction debris and yard waste, and EYE ROC INC. A new construction cleaning company.